

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING )  
PHARMACY, INC., PRODUCTS LIABILITY )  
LITIGATION )  
  ) MDL No.: 2419  
  ) Master Docket No.: 1:13-md-2419-FDS  
\_\_\_\_\_ )  
THIS DOCUMENT RELATES TO:         )  
  )  
\_\_\_\_\_ )  
All actions.                      )

**NOTICE OF FILING OF LIST OF OBJECTING SUBPOENA RECIPIENTS  
WITH DOCUMENTED PATIENT-VICTIMS**

In response to the Court’s Order on Motions to Quash and Objections to Subpoenas dated November 13, 2013 (Document 572) (“Order”), the Plaintiffs’ Steering Committee hereby gives notice of the filing of its list of subpoena recipients that have either moved to quash or objected to the PSC’s subpoena (“objecting subpoena recipients”), which have at least one documented patient-victim:<sup>1</sup>

**Categories of Patient-Victims**

A.     Objecting subpoena recipient has treated at least one patient who has filed suit in federal or state court relating to NECC medications (whether or not the subpoenaed healthcare provider is named as a defendant).

B.     Objecting subpoena recipient has treated at least one patient who has a case currently pending in the MDL (again, regardless of whether the subpoenaed healthcare provider is a named defendant).

<sup>1</sup> The list is intended to convey the PSC’s best understanding of the impact of the Court’s November 13, 2013 Order on Motions to Quash and Objections to Subpoenas (Document 572) on the objecting subpoena recipients.

C. Objecting subpoena recipient has, according to representations made to the PSC by counsel for victims, received at least one notice of a claim, letter of representation or similar communication from a treated patient concerning a claim relating to NECC medications.<sup>2</sup>

**List of Objecting Subpoena Recipients**

| <u>No.</u> | <u>Name of Objecting Subpoena Recipient</u>                      | <u>Categories of patient-victims<br/>(See below)</u> |
|------------|--|--|
| 1.         | St. Thomas Outpatient Neurosurgical Center                       | B and C  |
| 2.         | Specialty Surgery Center, PLLC                                   | B and C  |
| 3.         | Howell Allen Clinic, PLLC  | B and C  |
| 4.         | Dr. Donald Jones   | A and C  |
| 5.         | Baltimore Pain Management Center                                 | C  |
| 6.         | North Carolina Orthopedic Clinic                                 | C  |
| 7.         | Neuromuscular and Rehabilitation Associates of Northern Michigan | B  |
| 8.         | Rochester Brain and Spine Neurosurgery & Pain                    | B  |
| 9.         | Pain Associates of Charleston                                    | C  |
| 10.        | Dr. O'Connell's Pain Care Center                                 | B and C  |
| 11.        | Greenspring Surgery Center                                       | B and C  |
| 12.        | Pain Consultants of West Florida                                 | C  |
| 13.        | Encino Outpatient Surgery Center, LLC                            | B  |
| 14.        | Harford County Ambulatory Surgery Center, LLC                    | C  |
| 15.        | Allegheny Pain Management, P.C.                                  | C  |

<sup>2</sup> If any objecting subpoena recipients identified herein as having received a notice of claim, letter of representation or similar communication believes it has not received any such communication, the PSC will put that objecting subpoena recipient in communication with counsel who represented to the PSC that such communication had been sent.

|     |  |         |
|-----|--|---------|
| 16. | Pain Medicine Specialists, P.A.                | C       |
| 17. | Medical Advanced Pain Specialists, P.A. (MAPS) | B and C |
| 18. | Ambulatory Care Center LLC                     | C       |
| 19. | Comprehensive Pain Management                  | C       |
| 20. | Box Hill Surgery Center                        | C       |
| 21. | The South Bend Clinic, LLC                     | B and C |

**Conclusion**

Because each of the foregoing objecting subpoena recipients have at least one patient-victim that falls within one of the three categories listed above, the PSC anticipates that each of these healthcare providers will comply with the Court's Order and produce documents within 30 days of the date of the Order (barring appeals).

Date: November 20, 2013    Respectfully submitted:

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*Plaintiffs' Steering Committee*

**CERTIFICATE OF SERVICE**

I, Patrick T. Fennell, hereby certify that I caused a copy of the foregoing *Plaintiffs' Steering Committee's Notice of Filing of List of Objecting Subpoena Recipients with Documented Patient-Victims* to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Date: November 20, 2013

/s/Patrick T. Fennell  
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